

#5

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Stefaan Jozef DE CNODDER, et al.

Attorney Docket No. Q67666

Appln. No. 10/026,690

Group Art Unit: Not Assigned

Confirmation No.: 9306

Examiner: Not Assigned

Filed: December 27, 2001

For: **MARKER DEVICE AND RELATED METHOD**

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

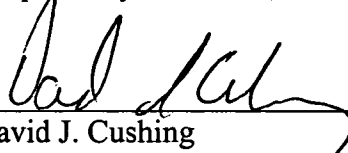
The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No. 10/026,690

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a Communication from a Foreign Patent Office in a counterpart application citing such documents, together with an English-language version (if not already included) of that portion of the Communication indicating the degree of relevance found by the foreign office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,


David J. Cushing
Registration No. 28,703

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: February 11, 2002

Substitute for form 1449 A & B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/026,690
		Confirmation Number	9306
		Filing Date	December 27, 2001
		First Named Inventor	Stefaan Jozef DE CNODDER
		Art Unit	Not Assigned
		Examiner Name	Not Assigned
Sheet 1 of 1	Attorney Docket Number	Q67666	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
/AS/		WO	00/60817		10-12-2000	Telia AB	Yes
/AS/		WO	00/56024		09-21-2000	Broadcom Corporation	Yes

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
/AS/		J. HEINANEN ET AL.: "A Two Rate Three Colour Marker", Internet Engineering Task Force (IETF), University of Pennsylvania, September 1999, pages 1-5	Yes

Examiner Signature	/Anthony Sol/ (09/22/2008)	Date Considered	09/22/2008
--------------------	----------------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.